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Bill no.: Committee Print
Amendment no.: 8
Date offered: 3/19/03
Disposition: Withdrawn

AMENDMENT TO THE COMMITTEE PRINT

OFFERED BY MR. BURR

At the end of subtitle B of title IV add the following new section:

SEC. 4031. MEDICAL ISOTOPE PRODUCTION.

Section 134 of the Atomic Energy Act of 1954 (42 U.S.C. 2160d) is amended—

(1) by redesignating subsection b. as subsection f.;

(2) by inserting after subsection a. the following:

"b. The Commission may issue a license authorizing the export (including shipment to and use at intermediate and ultimate consignees specified in the license) to a Recipient Country of highly enriched uranium for medical isotope production if, in addition to any other requirements of this Act, the Commission determines that—

"(1) a Recipient Country that supplies an assurance letter to the United States Government in connection with the Commission's consideration of the export license application has informed the United States Government that any intermediate consignees and the ultimate consignee specified in the application are required to use such highly en-

riched uranium solely to produce medical isotopes; and

"(2) the highly enriched uranium for medical isotope production will be irradiated only in a reactor in a Recipient Country that—

"(A) uses an alternative nuclear reactor fuel; or

"(B) is the subject of an agreement with the United States Government to convert to an alternative nuclear reactor fuel when such fuel can be used in that reactor.

"c. Applications to the Commission for licenses authorizing the export to a Recipient Country of highly enriched uranium for medical isotope production shall be subject to subsection b., and subsection a. shall not be applicable to such exports.

"d. The Commission is authorized to specify, by rule-making or decision in connection with an export license application, that a country other than a Recipient Country may receive exports of highly enriched uranium for medical isotope production in accordance with the same criteria established by subsection b. for exports to a Recipient Country, upon the Commission's finding that such additional country is a party to the Treaty on the Non-proliferation of Nuclear Weapons and the Convention on

the Physical Protection of Nuclear Material and will receive such highly enriched uranium pursuant to an agreement with the United States concerning peaceful uses of nuclear energy.

"e. The Commission shall review the adequacy of physical protection requirements that are currently applicable to the transportation of highly enriched uranium for medical isotope production. If it determines that additional physical protection measures are necessary, including any limits that the Commission finds are necessary on the quantity of highly enriched uranium contained in a single shipment for medical isotope production, the Commission shall impose such requirements, as license conditions or through other appropriate means."; and

(3) in subsection f., as so redesignated by paragraph (1) of this section—

(A) by striking "and" at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3)(B) and inserting a semicolon; and

(C) by adding at the end the following:

"(4) the term 'medical isotopes' means radioactive isotopes, including Molybdenum 99, Iodine 131, and Xenon 133, that are used to produce radio-

pharmaceuticals for diagnostic or therapeutic procedures on patients, or in connection with research and development of radiopharmaceuticals;

"(5) the term 'highly enriched uranium for medical isotope production' means highly enriched uranium contained in, or for use in, targets to be irradiated for the sole purpose of producing medical isotopes;

"(6) the term 'radiopharmaceuticals' means radioactive isotopes containing byproduct material combined with chemical or biological material that are designed to accumulate temporarily in a part of the body, for therapeutic purposes or for enabling the production of a useful image of the appropriate body organ or function for use in diagnosis of medical conditions; and

"(7) the term 'Recipient Country' means Canada, Belgium, France, Germany, and the Netherlands.".